

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SERGEY GAPONYUK,

Plaintiff,

v.

**EVGENY ALFEROV, SERGEI
KOLOSOVSKII, MIHAIL VERSHININ,
ALEXANDER CHERNOV, DAVID BROWN,
NATALIA ABRAMOVA**

Defendants.

CASE NO.: 23-at-00566

**DECLARATION OF FILIPP
PETKEVITCH**

1. Pursuant to 28 U.S.C. § 1746, I, FILIPP PETKEVITCH, declare the following:

My name is Filipp Petkevitch. I am over eighteen (18) years of age, and I make this Declaration based upon my personal knowledge and review of the relevant documents.

2. I am an attorney currently representing Plaintiff SERGEY GAPONYUK (“Plaintiff”) in the above-captioned lawsuit.

3. This affidavit is made in support of Plaintiff’s Motion for Temporary Restraining Order Without Notice against Defendants EVGENY ALFEROV, SERGEI KOLOSOVSKII, MIHAIL VERSHININ, ALEXANDER CHERNOV, DAVID BROWN, and NATALIA ABRAMOVA (the “Motion”).

4. I have reviewed the Motion as well as the documents referenced therein. I have also reviewed, and am familiar with, the Complaint filed in this action.

5. Fed.R.Civ.P. 65(b)(1)(B) requires that counsel for a party moving for entry of a Temporary Restraining Order (TRO) without notice to the adverse party must certify in writing

“any efforts made to give notice and the reasons why it should not be required.” In his Motion, Plaintiff has requested the Court issue a TRO without notice to EVGENY ALFEROV, SERGEI KOLOSOVSKII, MIHAIL VERSHININ, ALEXANDER CHERNOV, DAVID BROWN, and NATALIA ABRAMOVA.

6. All attempts to contact Defendant SERGEI KOLOSOVSKII regarding Plaintiff’s claim through means that had been successful prior, have been ignored. Additionally, Defendant SERGEI KOLOSOVSKII’s contact information, including name, address, and telephone number have not been confirmed despite our firm’s determined investigative efforts to contact Defendant SERGEI KOLOSOVSKII.

7. Similarly, all efforts to contact Defendant EVGENY IGOREVICH ALFEROV have been unsuccessful. The only tangible link to the Defendant is through an email address that was used by the Defendant while defrauding the Plaintiff.

8. Defendants MIHAIL VERSHININ, ALEXANDER CHERNOV, DAVID BROWN, and NATALIA ABRAMOVA’s proper legal names are unconfirmed at this point, and only through expedited discovery to the cryptocurrency exchanges at which the Destination Addresses identified in the Complaint and Motion are/were maintained might Plaintiff be able to uncover these Defendants legal names and locations - either physical or electronic - at which they can be apprised of the charges brought against them in this lawsuit so they may defend themselves against those charges.

9. The assets stolen from Plaintiff can be swiftly moved beyond the reach of Plaintiff as the Defendants blocked access to all of the Plaintiff’s assets. If Plaintiff is compelled to wait until after discovery commences, and after the cryptocurrency exchanges provide information and documents identifying Defendants and their contact information, and after

Plaintiff has been afforded a reasonable opportunity to send written notice to Defendants addressing the charges in this action, several weeks will have passed; and it is highly likely if not a near-certainty that the assets stolen from Plaintiff will have been dissipated by Defendants and will have been placed beyond reach of recovery.

10. In sum, granting the TRO without notice to Defendants EVGENY ALFEROV, SERGEI KOLOSOVSKII, MIHAIL VERSHININ, ALEXANDER CHERNOV, DAVID BROWN, and NATALIA ABRAMOVA is the only way the equitable relief provided in such an Order would be effective.

VERIFICATION

I, FILIPP PETKEVITCH, hereby verify and declare under penalty of perjury that I have read the foregoing declaration and know the contents thereof, and that the matters contained in the declaration are true to my own knowledge.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: July 5, 2023

By: /s/ Filipp Petkevitch
FILIPP PETKEVITCH